

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:16-CR-118-DMB-DAS

MATTHEW ARNOLD

PLEA AGREEMENT

The United States Attorney hereby proposes to the Court a plea agreement to be filed in this cause under Rule 11(c) of the Federal Rules of Criminal Procedure. Defendant has read and fully understands this plea agreement and approves same, realizing that the plea agreement is subject to acceptance or rejection by the Court. The plea agreement is as follows:

1. **GUILTY PLEA:** The defendant agrees to plead guilty under oath to Counts Two, Four, Six, Eight, Ten, and Twelve of the Indictment, each of which charges knowingly and unlawfully excavating and removing archaeological resources located on designated historic public lands without having a permit to do so, wherein the cost of restoration and repair plus the commercial value of the resources is greater than \$500.00, in violation of Title 16, United States Code, Section 470ee, and each of which carries maximum possible penalties of a \$250,000.00 fine, 2 years imprisonment, 1 year supervised release, and a special assessment of \$100.00.

2. **OTHER CHARGES:** The United States agrees not to charge the defendant with any other offenses arising from or related to the above conduct and to dismiss the remaining counts of the Indictment as to this defendant at the conclusion of sentencing on Counts Two, Four, Six, Eight, Ten, and Twelve.

3. RESTITUTION: The defendant understands that the Court may order restitution in accordance with the provisions of 18 U.S.C. § 3663 for all offenses committed and specifically agrees that restitution is not limited to the count of conviction.

4. OTHER AUTHORITIES: This agreement does not bind any prosecuting authority of any state or any other federal district, nor does it bind the Attorney General of the United States with regard to any matter, criminal or civil, involving federal tax laws. Nor does this agreement bind the United States or any of its departments or agencies with regard to any civil or administrative actions or remedies.

5. VIOLATIONS OF THIS AGREEMENT: If defendant violates this agreement, all statements made pursuant hereto will be admissible against defendant, who hereby waives the provisions of Rule 11(f) of the Federal Rules of Criminal Procedure and Rule 410 of the Federal Rules of Evidence. Defendant may also, in that event, be prosecuted for all federal offenses, including perjury and false statements relating to this plea agreement.

6. ACKNOWLEDGMENTS: Apart from being advised of the applicability of the U.S. Sentencing Guidelines, and other than as set forth elsewhere in the plea documents, no promise or representation whatsoever has been made to defendant as to what punishment the Court might impose if it accepts the plea of guilty. This agreement, together with the Plea Supplement filed herewith, fully reflects all promises, agreements, and understandings between the defendant and the United States Attorney. The defendant's agreement is knowing, free, and voluntary, and

not the product of force, threat, or coercion. The defendant is pleading guilty because defendant is in fact guilty.

This the 18th day of April, 2017.


ROBERT H. NORMAN
Acting United States Attorney

AGREED AND CONSENTED TO:



MATTHEW ARNOLD
Defendant

APPROVED:


GREGORY S. PARK, MS Bar 9419
Attorney for Defendant